

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

BARBARA SANDERS : Case No. 20-10500-TPA
: Chapter 13
Debtor : Related to Doc. No. 38

PLAN CONFIRMATION ORDER

A It is hereby **ORDERED** that with the consent of the Debtor(s), the Chapter 13 Plan dated **May 5, 2021** except as modified herein as checked below, is **CONFIRMED** in accord with *11 USC 1325*. On the effective date of this Order, the Chapter 13 Trustee shall pay administrative, secured and priority creditors identified in the Plan. General unsecured creditors will not receive distributions at least until the government bar date has passed and the Chapter 13 Trustee has submitted a *Notice of Intention to Pay Claims* to the Court. Confirmation of this Plan pursuant to this Order is without prejudice to reconsideration following a status conference held by the Chapter 13 Trustee to gauge the progress of Plan implementation which **Status Conference** is scheduled for *N/A remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteedpa.com*, (which may, upon agreement of the Parties, be continued from time to time *provided however* that following the 3rd continuance, the matter shall be set for hearing before the Court), following which time the Plan may be modified to the satisfaction of all Parties after notice and hearing before the Court, or the status conference may be marked closed by the Chapter 13 Trustee.

- X **1.** For the remainder of the Plan term, the periodic Plan payment is to be \$1017.00 as of July 2021 Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ **2.** The length of the Plan is increased to a total of _____ months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ **3.** _____ shall be paid monthly payments of \$_____ beginning with the Trustee's _____ distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- X **4.** The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
Claimant: Midfirst Bank Claim #: 3
- ☐ **5.** Additional Terms: (a) Partners for Payment Relief to be paid per plan which reflects trial modification payment. Debtor must file an amended plan to address claim (Cl 12) in the event loan modification is not granted with different terms.

B IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

1. Objections to the Plan: This Order is effective as of the date indicated below. Pursuant to *Fed.R.Bankr.P. 2002(b)*, any party in interest with an objection to any provision of this Confirmation Order must file a written objection within the twenty-eight (28) day period following entry of this Order. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may only disburse funds pursuant to this confirmation order upon expiration of the foregoing twenty-eight (28) day period.

2. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

3. Review of Claims Docket and Objections to Claims. Pursuant to *LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review all proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

4. Motions or Complaints Pursuant to §§506, 507, or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

5. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the Plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

C IT IS FURTHER ORDERED THAT:

1. Plan terms are subject to the resolution of: timely but yet to be filed claims including government claims; all actions to determine the avoidability, priority or extent of liens, including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.

2. Following payment of allowed secured and priority claims the allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.

3. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

4. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

5. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' Counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

6. Debtor(s) shall file an Amended Schedule I in the event of:

(a) Household income increases, because of new employment, promotion, or otherwise, since any increase in disposable income shall qualify for modification under §1329 retroactive to the date of the increase.

(b) A reduction in payroll withholding (including any Domestic Support Obligation and retirement loan(s) repayments), or any increase of 10% in household income. Any indicated increase in disposable income (and the fund created for the benefit of general Unsecured Creditors) is retroactive to the date of the payoff of the obligation or increase in household income.

(c) Household income increases by 1% or more over most the recently filed Schedule I. Any indicated increase in disposable income (and the fund created for the benefit of general Unsecured Creditors) is retroactive to the date of the increase in household income.

7. Debtor(s) shall provide Trustee annual tax returns and statements of income and expenses, in accordance with Section 521(f) and (g), and shall file an amended plan reflecting any increase in disposable income retroactive to date of increase.

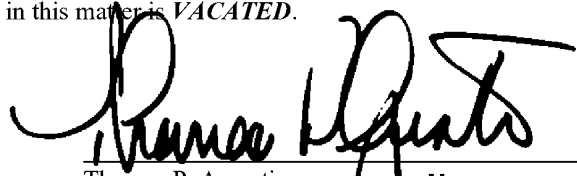
8. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

9. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising preconfirmation defaults in any subsequent motion to dismiss.

10. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject property, unless directed otherwise by further Order of Court.

11. Any prior Confirmation Order entered in this matter is *VACATED*.

Dated: June 22, 2021
(Effective Date)


Thomas P. Agresti
United States Bankruptcy Judge **ljm**

cc: All Parties in interest to be served by Clerk in seven (7) days

In re:
Barbara Sanders
Debtor

Case No. 20-10500-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: lfin

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Date Rcvd: Jun 22, 2021

Form ID: pdf900

Total Noticed: 32

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 24, 2021:

Recip ID	Recipient Name and Address
db	+ Barbara Sanders, 2918 Gloth Street, Erie, PA 16504-1464
15268811	++ AMERICAN HONDA FINANCE, P O BOX 168088, IRVING TX 75016-8088 address filed with court:, American Honda Finance, 201 Little Falls Drive, Wilmington, DE 19808
15270664	+ Fay Servicing, LLC, c/o McCalla Raymer Leibert Pierce, LLC, Bankruptcy Department, 1544 Old Alabama Road, Roswell, GA 30076-2102
15294508	Fay Servicing, LLC, PO Box 814609, Dallas, TX 75381-4609
15268818	+ Midwest Recovery Syste, 514 Earth City Plaza, Earth City, MO 63045-1303
15268820	+ Partners for Payment Relief, c/o Sn Servicing Corporation, 323 Fifth Street, North Wales, PA 19454-3001
15268823	+ Rocketloans, 1001 Woodward, Detroit, MI 48226-1904
15268826	+ Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673
15284820	UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
15284860	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123

TOTAL: 10

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@americaninfosource.com	Jun 22 2021 23:46:23	Capital One Auto Finance, a division of Capital On, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/PDF: rmscedi@recoverycorp.com	Jun 22 2021 23:46:52	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15268812	Email/Text: ebn@americollect.com	Jun 22 2021 23:38:00	Americollect Inc, 1851 S Alverno Road, Manitowoc, WI 54221
15294407	Email/Text: bnc@atlasacq.com	Jun 22 2021 23:38:00	Atlas Acquisitions LLC, 492C Cedar Lane, Ste 442, Teaneck, NJ 07666
15268813	Email/PDF: AIS.COAF.EBN@Americaninfosource.com	Jun 22 2021 23:45:55	Capital One Auto Finan, Credit Bureau Dispute, Plano, TX 75025
15285437	+ Email/PDF: acg.acg.ebn@americaninfosource.com	Jun 22 2021 23:46:52	Capital One Auto Finance, a division of Capital On, P.O. Box 4360, Houston, TX 77210-4360
15273065	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jun 22 2021 23:46:22	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15268814	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jun 22 2021 23:46:51	Capital One Bank Usa N, Po Box 30281, Salt Lake City, UT 84130-0281
15268815	+ Email/Text: GenesisFS@ebn.phinsolutions.com	Jun 22 2021 23:39:00	Cb Indigo/gf, Po Box 4499, Beaverton, OR 97076-4499
15268816	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jun 22 2021 23:38:00	Comenitycb/ulta, Po Box 182120, Columbus, OH 43218-2120
15281684	+ Email/PDF: ais.midfirst.ebn@americaninfosource.com	Jun 22 2021 23:45:51	MidFirst Bank, 999 NW Grand Boulevard, Suite 100, Oklahoma City, OK 73118-6051

District/off: 0315-1

User: lfin

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Total Noticed: 32

15268817	+ Email/PDF: ais.midfirst.ebn@americaninfosource.com	Jun 22 2021 23:46:21	Midland Mortgage, PO Box 26648, Oklahoma City, OK 73126-0648
15268819	+ Email/Text: netcreditbnc@enova.com	Jun 22 2021 23:39:00	Nc Financial, 175 W Jackson Blvd, Chicago, IL 60604-2615
15268821	Email/Text: info@plazaservicesllc.com	Jun 22 2021 23:38:00	Plaza Servic, 110 Hammond Drive Suite 110, Atlanta, GA 30328
15282589	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jun 22 2021 23:45:54	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15268822	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jun 22 2021 23:45:54	Portfolio Recov Assoc, 120 Corporate Blvd Ste 100, Norfolk, VA 23502-4952
15290472	Email/Text: bnc-quantum@quantum3group.com	Jun 22 2021 23:38:00	Quantum3 Group LLC as agent for, Reel Time Capital LLC, PO Box 788, Kirkland, WA 98083-0788
15294923	+ Email/Text: bncmail@w-legal.com	Jun 22 2021 23:38:26	SYNCHRONY BANK, C/O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
15268824	+ Email/PDF: gecsedl@recoverycorp.com	Jun 22 2021 23:45:49	Syncb/lowe, Po Box 956005, Orlando, FL 32896-0001
15268825	+ Email/PDF: gecsedl@recoverycorp.com	Jun 22 2021 23:46:51	Syncb/sams, Po Box 965005, Orlando, FL 32896-5005
15269094	+ Email/PDF: gecsedl@recoverycorp.com	Jun 22 2021 23:45:49	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15282097	+ Email/Text: documentfiling@lciinc.com	Jun 22 2021 23:38:00	Tea Olive, LLC, PO BOX 1931, Burlingame, CA 94011-1931

TOTAL: 22

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		MidFirst Bank
cr		Partners for Payment Relief DE IV, LLC
cr	*+	Fay Servicing, LLC, c/o McCalla Raymer Leibert Pierce, LLC, Bankruptcy Department, 1544 Old Alabama Road, Roswell, GA 30076-2102

TOTAL: 2 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 24, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

District/off: 0315-1

User: lfin

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Date Rcvd: Jun 22, 2021

Form ID: pdf900

Total Noticed: 32

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 22, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Defendant Partners For Payment Relief DE IV LLC bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor Partners for Payment Relief DE IV LLC bnicholas@kmlawgroup.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
Stephen Russell Franks	on behalf of Creditor MidFirst Bank amps@manleydeas.com
Tina M. Fryling	on behalf of Plaintiff Barbara A. Sanders tinafryling@gmail.com tfryling@mercyhurst.edu;r53088@notify.bestcase.com
Tina M. Fryling	on behalf of Debtor Barbara Sanders tinafryling@gmail.com tfryling@mercyhurst.edu;r53088@notify.bestcase.com

TOTAL: 7